



U. S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

628-2 Hebron Avenue, Suite 303  
Glastonbury, Connecticut 06033-5007

March 26, 2004

IN REPLY REFER TO:  
BDA-CT  
Doc #35701

Mr. James F. Byrnes, Jr., Commissioner  
Connecticut Department of Transportation  
2800 Berlin Turnpike  
PO Box 317546  
Newington, Connecticut 06131-7546

Dear Mr. Byrnes:

This is to acknowledge receipt of your letter of intent, dated Friday, March 26, 2004, requesting such assistance as may be required to replace this structure in order to provide safe conditions and correct the emergency. Based on our verbal discussions FHWA will assist ConnDOT in securing Emergency Relief Funds, authorized under 125 of Title 23, U.S.C., for the repair of damage to Bridge No. 00103 which conveys Interstate 95 over Howard Avenue in the City of Bridgeport. According to your letter of intent, the bridge has been extensively damaged as a result of a fuel tanker truck crash and fire. The damage has resulted in the closure of I-95 traffic in to order to provide for the safety of the traveling public.

Although this incident has occurred within the limits of ConnDOT's ongoing administered federal-aid reconstruction efforts on I-95, the nature of the accident appears not to be attributable to any of the ongoing reconstruction efforts. This issue will be revisited if further information justifies reconsideration.

You are authorized to proceed with performance of emergency operations, including efforts required to replace this structure, in order to provide safe conditions and correct the declared emergency. These operations should include necessary efforts to restore essential traffic, to protect the remaining I-95 facilities, and to reduce the extent of damage. Also, you may proceed with preliminary engineering, including surveys, design, and preparation of construction plans including the opportunity to waive competitive bidding requirements if necessary, to perform the permanent restoration work required as an associated part of the emergency operations, and to use State forces and/or negotiated equipment rental contracts as necessary to perform the work.

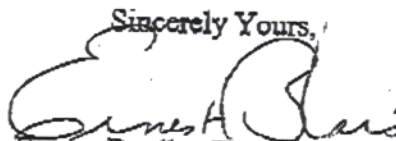
The eligibility of such work for Emergency Relief funds will be contingent upon a favorable finding by the FHWA Division Administrator. The Disaster Survey Summary Report (DSSR), among other requirements, must include estimates of cost to repair and reconstruct the damage to I-95.

The FHWA Connecticut Division Office will be meeting with members of your staff to make arrangements for reviewing the disaster damage and assisting in preparing the DSSR and site damage reports. The DSSR is to be submitted within two (2) weeks, if possible. If additional time is required, please advise this Office in writing and include the reasons requiring the additional time.

All emergency work must be included in a program of emergency repair projects. The program, when submitted for approval, shall include a detailed outline of the necessary emergency operations performed and a description of the permanent restoration work proposed. Any permanent restoration work, other than that performed as an associated part of the emergency operations, shall not be performed prior to receiving program approval and authorization from this Office.

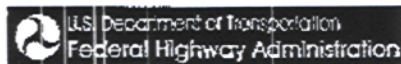
Sufficient record-keeping must be done to permit audit of costs on a site-by-site basis.

Sincerely Yours,



For: Bradley Keazer  
Division Administrator

cc:



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## Program Administration

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### Emergency Relief Program

**Description:** Congress authorized in Title 23, United States Code, Section 125, a special program from the Highway Trust Fund for the repair or reconstruction of Federal-aid highways and roads on Federal lands which have suffered serious damage as a result of (1) natural disasters or (2) catastrophic failures from an external cause. This program, commonly referred to as the emergency relief or ER program, supplements the commitment of resources by States, their political subdivisions, or other Federal agencies to help pay for unusually heavy expenses resulting from extraordinary conditions.

The applicability of the ER program to a natural disaster is based on the extent and intensity of the disaster. Damage to highways must be severe, occur over a wide area, and result in unusually high expenses to the highway agency. Applicability of ER to a catastrophic failure due to an external cause is based on the criteria that the failure was not the result of an inherent flaw in the facility but was sudden, caused a disastrous impact on transportation services, and resulted in unusually high expenses to the highway agency.

**Funds Available:** \$100 million in annual authorization. By law, the FHWA can provide up to \$100 million in ER funding to a State for each natural disaster or catastrophic failure that is found eligible for funding under the ER program (commonly referred to as the \$100 million per State cap). Also, the total ER obligations for U.S. Territories (American Samoa, Commonwealth of Northern Mariana Islands, Guam, and Virgin Islands) is limited to \$20 million in any fiscal year. For a large disaster that exceeds the \$100 million per State cap, Congress may pass special legislation lifting the cap for that disaster.

**Federal Share:** Approved ER funds are available at the pro-rata share that would normally apply to the Federal-aid facility damaged. For Interstate highways, the Federal share is 90 percent. For all other highways, the Federal share is 80 percent. Emergency repair work to restore essential travel, minimize the extent of damage, or protect the remaining facilities, accomplished in the first 180 days after the disaster occurs, may be reimbursed at 100 percent Federal share.

**How to Apply:** It is the responsibility of individual States to request ER funds for assistance in the cost of necessary repair of Federal-aid highways damaged by natural disasters or catastrophic failures. A notice of intent to request ER funds filed by the State Department of Transportation with the FHWA Division Office located in the State will initiate the ER application process.

#### **Publications Available:**

**Emergency Relief Manual** -- This electronic version of the ER manual is intended to be an "interim update" of the printed version that was originally published in September of 1998. This interim version reflects changes that were made to the regulation governing the ER program (23 CFR 668 Subpart A) and clarifying wording to various provisions. It is the intent to review the regulation and manual for a more comprehensive update, following upcoming reauthorization of the Federal surface transportation programs. As with the printed manual the electronic version provides guidance to assist States in applying for ER funds and making damage assessments, detailed inspections, and eligibility determinations.



A Guide to the Federal-Aid Highway Emergency Relief Program -- This printed brochure provides an overview of the ER program in layman's language and is available from the FHWA Office of Program Administration by calling (202) 366-0494.

**Contact:** Mr. Greg Wolf, Emergency Relief Program Engineer, Telephone (202) 366-4655

This page last modified on October 23, 2003

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